



Rep. Christian L. Mitchell

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LRB098 15418 JWD 57482 a

1 AMENDMENT TO HOUSE BILL 3859

2 AMENDMENT NO. _____. Amend House Bill 3859 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Illinois Public Subsidies Living Wage Act.

6 Section 5. Definitions.

7 "Covered worker" means full-time employees and new
8 employees claimed by the taxpayer as satisfying the
9 requirements of the Economic Development for a Growing Economy
10 Tax Credit Act necessary for the taxpayer to receive a credit
11 under that Act. "Covered worker" also includes all employees of
12 the taxpayer employed in projects described under Section 5-20
13 of the Economic Development for a Growing Economy Tax Credit
14 Act, including employees of contractors and subcontractors
15 employed by, or providing services to, the taxpayer.

16 "Credit" has the meaning provided in Section 5-5 of the

1 Economic Development for a Growing Economy Tax Credit Act.

2 "Full-time employee" has the meaning provided in Section
3 5-5 of the Economic Development for a Growing Economy Tax
4 Credit Act.

5 "New employee" has the meaning provided in Section 5-5 of
6 the Economic Development for a Growing Economy Tax Credit Act.

7 "Taxpayer" has the meaning provided in Section 5-5 of the
8 Economic Development for a Growing Economy Tax Credit Act.
9 "Taxpayer" also includes any contractor or subcontractor
10 employed or used by the taxpayer in fulfillment of a project
11 described under Section 5-20 of the Economic Development for a
12 Growing Economy Tax Credit Act.

13 Section 10. Scope. For agreements entered into on or after
14 the effective date of this Act, any taxpayer that receives a
15 credit under the Economic Development for a Growing Economy Tax
16 Credit Act, must, for covered workers, pay a living wage and
17 provide benefits as set forth in this Section:

18 (1) Living wage. For job sites located in a
19 Metropolitan Statistical Area, as defined by the Office of
20 Management and Budget within the Executive Office of the
21 President of the United States, the average hourly wage
22 paid to non-managerial workers at the project site must be
23 no lower than 100% of the State rate for the industry, as
24 most recently established by the United States Bureau of
25 Labor Statistics. For job sites located outside of a

1 Metropolitan Statistical Area, as defined by the Office of
2 Management and Budget within the Executive Office of the
3 President of the United States, the average weekly wage
4 paid to non-managerial employees must be no lower than 100%
5 of the rate for the industry in the county where the
6 project site is located, as most recently established by
7 the United States Department of Commerce.

8 (2) Benefits. The taxpayer must offer health insurance
9 coverage and at least half of the cost of the insurance
10 premium must be paid by the taxpayer. Nothing in this
11 subsection shall be construed to prevent a taxpayer from
12 paying a greater portion of the insurance premium.

13 (3) Paid time off. Each employee must receive not less
14 than 12 days per year of paid time off. Nothing in this
15 subsection shall be construed to prevent a taxpayer from
16 providing additional paid time off to employees.

17 Section 100. The Economic Development for a Growing Economy
18 Tax Credit Act is amended by changing Section 5-65 as follows:

19 (35 ILCS 10/5-65)

20 Sec. 5-65. Noncompliance; notice; assessment. If the
21 Director determines that a Taxpayer who has received a Credit
22 under this Act is not complying with the requirements of the
23 Agreement, all of the provisions of the Illinois Public
24 Subsidies Living Wage Act, or all of the provisions of this

1 Act, the Director shall provide notice to the Taxpayer of the
2 alleged noncompliance, and allow the Taxpayer a hearing under
3 the provisions of the Illinois Administrative Procedure Act.
4 If, after such notice and any hearing, the Director determines
5 that a noncompliance exists, the Director shall issue to the
6 Department of Revenue notice to that effect, stating the
7 Noncompliance Date.

8 (Source: P.A. 91-476, eff. 8-11-99.)".